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Attorneys for Plaintiffs
Jose Buenrostro, Sr. and Maria Buenrostro

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Jose Buenrostro, Sr. Individually and as
Successor In Interest to Jose Buenrostro, Jr.
and Maria Buenrostro, Individually and as
Successor In Interest to Jose Buenrostro, Jr. ,

Plaintiffs,

vs.

City of Oakland, a Municipal Corporation; et
al.

Defendants.

Case No.: 3:09-cv-00786 JSW

(AMENDED) REQUEST TO EXTEND THE
DEADLINE FOR DISMISSAL OF ACTION
AND ~~(PROPOSED)~~ ORDER

On May 27, 2010, Plaintiffs filed a Notice of Settlement informing the Court that the
parties had reached a tentative settlement agreement in this case, subject only to the final

1 approval of the Oakland City Council.

2 Thereafter, on May 28, 2010, the Plaintiffs filed a Stipulation of Dismissal with the Court
3 requesting that the matter be dismissed in its entirety with prejudice within ninety (90) days,
4 provided, however, that if any party hereto shall certify to this Court, within ninety (90) days,
5 with proof of service of a copy thereon to opposing counsel, that the agreed consideration for
6 said settlement has not been delivered over, the foregoing Order shall stand vacated and this case
7 shall forthwith be restored to the calendar to be set for trial.

8 Under the terms of the Stipulation of Dismissal granted by the Court on June 1, 2010, the
9 Buenrostro matter will be permanently dismissed on September 1, 2010, the ninety-day (90)
10 deadline. The parties request that the deadline by which the Buenrostro matter is dismissed be
11 extended an additional forty-five (45) days as the Buenrostro matter is scheduled to be heard by
12 the City of Oakland City Council for final approval on September 21, 2010. (Please see the
13 attached Declaration of Randolph Hall.)

14 The parties request a forty-five (45) day extension or until October 16 2010, thereafter,
15 the matter will be dismissed in its entirety with prejudice, provided, however, that if any party
16 hereto shall certify to this Court that the agreed consideration for said settlement has not been
17 delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored
18 to the calendar to be set for trial.

19 Defendants, by and through, City of Oakland, Assistant City Attorney, Randolph W.
20 Hall, have reviewed the Request to Extend the Deadline for Dismissal of Action and (Proposed)
21 Order and know the contents herein. Defendants, by and through, City of Oakland, Assistant City
22 Attorney, Randolph W. Hall give their consent to this document being filed with the Court.
23

24
25 Dated: August 31, 2010

LAW OFFICES OF JOHN L. BURRIS

26 /s/ John L. Burris

27 John L. Burris

28 Attorney for Plaintiffs

1 Dated: September 1, 2010

Rankin Sproat Mires Beaty & Reynolds

3 /s/ Geoffrey A. Beaty

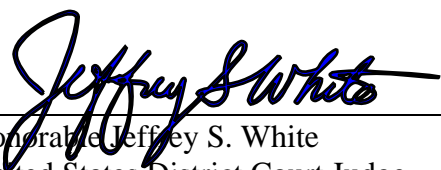
4 Geoffrey A. Beaty

5 Attorney for Defendants

8 ~~(PROPOSED)~~ ORDER

10 GOOD CAUSE APPEARING, the deadline by which the Buenrostro matter is dismissed
11 is extended by forty-five (45) days thereafter, the matter will be dismissed in its entirety with
12 prejudice, provided, however, that if any party hereto shall certify to this Court that the agreed
13 consideration for said settlement has not been delivered over, the foregoing Order shall stand
14 vacated and this case shall forthwith be restored to the calendar to be set for trial.

18 Dated: September 2, 2010

17 
18 Honorable Jeffrey S. White
19 United States District Court Judge